

**AIRPORT ADVISORY COMMISSION
MINUTES**

For meeting of April 15, 2004

Approved

**MEMBERS
PRESENT**

Ron Salk
Alan Fox
Bruce Alton
Douglas Haubert
Bob Luskin
Carol Soccio
Don Temple
Deborah Veady
Bernhard Clever

**MEMBERS
ABSENT**

**STAFF
PRESENT**

Chris Kunze
Jeri Werner
Lonnie Mitchell
Steve O'Keefe
Rachel Korkos
Sileneka Smith

**OTHERS
PRESENT**

Sign-in sheet attached or
available on request

Call to Order

Chair Ron Salk called the Airport Advisory Commission to order at 4:03 p.m., at the Long Beach Energy Department. Chairman Salk gave congratulations to Commissioner Don Temple who received the Community Hospital Award, Philanthropist of the Year.

Roll Call

Mr. Chris Kunze, Airport Manager, called roll and certified that a quorum was present.

Approval of Minutes

The Airport Advisory Commission minutes of the meeting of March 18, 2004 were approved as submitted.

Approval of Agenda

The agenda was approved as submitted.

Airport Bureau Staff Report

- Mr. Chris Kunze gave the load factor report. Mr. Kunze gave a summary of the report saying that in January and February, Long Beach airlines had 71% average load factors, March yielded 76% load factors, and load factors will typically grow from this point. May will begin the high load factors, using the last two years as experience. The biggest load factors will be realized in June, July, and August, with August anticipating the heaviest loads. One change over last year's figures is that America West is flying small RJ aircraft as opposed to last year where they had a mix of larger aircraft. Mr. Kunze noted that there is strong growth in the area of corporate aircraft operations, versus overall general aviation operations reduced slightly, which is consistent with the industry.
- Mr. Ken Ashmore gave the noise report for March. Mr. Ashmore stated that there were 202 air carrier related complaints, 65 general aviation jet complaints, with 307 total complaints. Mr. Kunze noted that the private Gulfstream 3 operation measured at 105.2 dB, is fairly unique. Gulfstream has published a departure procedure just for Long Beach, and typically that aircraft operates without a violation.

Mr. Kunze noted that this type of item would be brought to the Aviation Noise Abatement Committee, which is a group of users with a recommendation that they communicate with the operator about procedures.

Mr. Kunze also noted that an American Airlines B-757 departure monitored at 109.9 dB, is very unusual for that aircraft.

Mr. Kunze stated that with the hard closures at 11:00 p.m., there was an issue with an American Airlines departure that did not go over the monitor until after 11:00 p.m., which generated a violation, even though they pushed back before 11:00 p.m. By the time they taxied out, it was well after 11:00 p.m.

Commissioner Alton asked if the 28,234 operations, represents both landings and takeoffs. Mr. Ashmore confirmed that it does. Commissioner Alton stated that in looking at 41 flights each day that would not represent both a landing and takeoff, and as such, would need to be doubled to 82 to represent the number of operations. Commissioner Alton asked what fraction of the total operations would typically be air carriers. Mr. Ashmore stated that it would be approximately 5%. Commissioner Alton asked that he would like to know what percentage of airline operations resulted in noise violations. Mr. Kunze stated that it would be a simple adjustment to include that information on the report.

- Ms. Christine Edwards gave a construction update. Runway 30 construction is well underway, and is the only active construction presently on the Airport. Full production paving began approximately two weeks ago, and is on schedule to have the first full length replacement layer of the runway completed by the end of May. Ms. Edwards stated that the scheduled weekend closures for July 9th are on target. The electrical work is also going smoothly, with all underground infrastructure completed for the new runway edge lights. Installation has also begun for the underground infrastructure for the new centerline lighting system, and has begun for the new storm drain work in the midfield area that will solve the airfield drainage problems. Ms. Edwards noted that there were some incidents with late air carrier operations that caused a delay in the contractor starting work. Because of those delays, and because of financial and completion date requirements, a letter was sent to the airlines indicating that a closure at 11:00 p.m. is a hard closure, and staff is working more closely with the airlines to ensure that there are no further incidents. Ms. Edwards noted that there have been no safety incidents on the project, either with construction personnel, airport personnel, or with aircraft coming and going on open runways.
- Mr. Kunze introduced Mr. Steve O'Keefe, Manager of Leasing and Business Support, to give an issue brief on the State Enterprise Zone legislative update.

Mr. O'Keefe reported that the City of Long Beach participates in a State tax credit program for businesses, the California Enterprise Zone. The Enterprise Zone is a valuable tool for existing business as well as for attracting new businesses, due to provisions relating to equipment purchases and employee tax credits. Currently there are three impending State Senate bills that eliminate primary benefits of that program. Mr. O'Keefe stated that there is one bill that proposes a 5-year extension, which is not fairing well. The Economic Development Commission has submitted a letter to the

State in support of the Senate Bill 1179, the 5-year extension proposal. Mr. O'Keefe stated that the other bills did not move and have had extended hearings to allow cities to put forth their cases as to mitigating the loss of taxes to the State.

Mr. O'Keefe stated that regarding Airport Terminal concessions, the Request for Qualifications is going through the final draft of notices that will be placed in local and business publications. An informational meeting is scheduled for May 10th, in the main library auditorium.

Commissioner Alton asked if the informational meeting would include square footage envisioned for concession areas. Mr. O'Keefe stated that it would include existing square footage. Mr. Kunze noted that staff hopes to have additional concession area identified sometime during the concession review/selection process.

Commissioner Haubert asked if, since the RFQ will be discussing the existing concessionaire space that is now allocated on a month-to-month basis, would it discuss anything beyond that?

Mr. Kunze stated that it would include all the existing areas, the restaurant, main terminal snack bar, and the holdroom portable cart areas. Mr. Kunze noted that staff would like to see how a potential operator would use the space in provisioning the terminal given current space constraints. However, finalists will also be asked to address their concepts for "what if" scenarios which could result from current Terminal facility planning efforts. Ability to perform will be a major issue, as well as revenue production and level of investment. Another aspect that is a consideration is use of disadvantaged and women owned businesses. Commissioner Haubert asked if it would make more sense to wait for the recommendation from the Study Committee to determine the available space to be allocated to a concessionaire.

Mr. Kunze stated that the bids are being based on what is currently available. There are present needs that need to be addressed. There is a need for capital improvements to be made. The deck area, which is popular with the public, would be a consideration for use, with the hope that the TSA tents will be removed shortly. In addition, he stated that the level of service and pricing could be changed for the good. Mr. Kunze noted that Chairman Salk has been invited to sit on the panel to review the top candidates, and will be looking at the ability of the candidates to react if given more area.

Commissioner Haubert stated that he is still confused about why staff would move ahead with the RFQ process, which will lead to the RFP process, until it is known what will be bid on. Mr. Kunze stated that what will drive the selection is the creativity and ability to perform of a candidate to reinvent the Airport's concessions, in order to provide a high level of service to the Airport's users, along with specific proposals for current concession areas including the primary restaurant facility, and proposed concepts for growth opportunities within holdroom areas. .

Commissioner Alton asked if there is any knowledge from the public regarding what they are happy or dissatisfied with to assist in final determinations. Mr. Kunze stated that the City's consultant is seasoned in terms of airport concessions, and Long Beach Airport airport surveys that specifically asked about concessions provide data going

back several years. The airlines also have been outspoken to staff regarding the level of service, and there is an additional survey of airport employees that use the concessions. Mr. Kunze stated that the selection panel would include travel and food editors from, local area newspapers. Based on Commissioner Alton's suggestion, Airport staff will arrange for Volunteer Tour Guides to do additional focused concession opinion surveys over the next few months.

- Mr. Kunze reviewed a report by the Mitre Corporation which was recently distributed by the FAA. He provided a letter to the Commission that was sent to the Mayor and City Council explaining the report. Mr. Kunze stated that the report was presented by the FAA at a conference for forecasting. The actual report was not yet completed nor released. Mr. Kunze reviewed some components of the draft report saying that Long Beach Airport is listed as one of the airports that would need to increase its capacity to accommodate the demand to fly on scheduled airlines over the next several years. Specifically, the report states that Long Beach is among the airports that will need greater capacity by 2013 to accommodate demand, and is again listed among the airport needing additional capacity to meet demand by the year 2020. Mr. Kunze noted that SCAG is the regional metropolitan planning organization whose responsibility it is to show the federal government how the region can best address the forecast needs. SCAG has used Long Beach's forecast of 3.8 million for its 20-year forecast. The fact that the study shows that Long Beach would need to expand by 2013 is a product of Mitre's "top down" forecast approach where they look at macro economic factors and do not consider local noise restrictions, for example. Mr. Kunze stated that the City would continue to monitor federal and regional planning activities.
- Mr. John Deats asked if the concessionaires will be asked how many square feet they would require within any future increased facilities. He also asked about the observation deck, and what level people are screened to allow catered events from the Prop Room. Mr. Kunze responded stating that the City is trying to narrow the concession candidates down to a few who are best suited to meet the stated goals and then ask them for input into future facility specific configuration options, rather than overall sizing. He stated that they do not want to delay a decision by the City Council for six months or a year on the terminal facilities because of concession area variables. The concession area is a part of the whole facilities issue, but not a dominant part.

Mr. Kunze stated that TSA allows the use of the deck, the restaurant has the balcony area within their lease, and have chosen to open it only for certain purposes. In the new concession agreement, they will be asked to enclose the balcony with glass or other material to allow for viewing, while providing the necessary security should future alert levels be elevated.

Referencing an after 11:00 p.m. operation on Runway 30, Mr. Lew Nelson asked about the runway rehabilitation closure, and if the runway lights are on or off at 11:00 p.m. Mr. Kunze stated that for that particular operation, the lights were on, based on a judgment call that was made by someone on site, based upon an aircraft operation that was in process prior to 11:00 p.m. Since then, additional guidance has been provided accentuating the policy that the runway will be officially closed at 11:00 p.m. Once it is closed, the tower will then turn off the lights.

Mr. Nelson asked if the American Airlines flight that left after 11:00 pm was an illegal

flight. Mr. Kunze stated that from a safety perspective, it was not, because the runway was left open by staff. However, it was subject to the City Prosecutor's Consent Decree.

Chairman Salk asked about the status of the minimum standards review. Mr. Kunze stated that meetings have been held, and staff has finished with the airline part of the review. Meetings have also occurred on the general aviation side, with Parcel J tenants, and with the Long Beach Airport Association Board of Directors. There will be a timeframe of several months with general aviation issues such as fixed base operators, and whether or not the minimum standards should change and require a bundling of services and more rigid standards for fuel providers, for example. Mr. Kunze stated that firm dates would be provided at the next meeting. May 5th is scheduled for the next general aviation meeting.

Old Business –Airport Staff Comments on Boeing PacifiCenter DEIR

Mr. Kunze stated that a review of the 4,000+ page draft of the EIR on the Boeing PacifiCenter project and a staff assessment has been provided to the Commission and will be summarized with a PowerPoint presentation.

Mr. Kunze stated that when Boeing PacifiCenter made their presentation, their preferred plan was 3.3 million square feet of commercial, 150,000 square feet of retail, 2,500 residential units, and the housing mix was broken down such that a minimum of 60% would be "for sale" homes, and a maximum of 1,000 apartments. Also, they included a 400-room hotel and parks/open space of about 10 ½ acres. Mr. Kunze stated that, overall in terms of the comprehensiveness of the draft EIR, and focusing on airport adjacency issues, the review indicated generally a very thorough treatment of airport adjacency issues. Mr. Kunze gave the presentation as follows:

Re: Airport Adjacency Issues

Review of the DEIR generally indicates a very thorough treatment of Airport-adjacency issues.

The most significant adjacency issue is that of residential use within PacifiCenter. Mitigation measures (acoustical treatment, aviation easements, stipulations regarding conformance with Noise Compatibility Ordinance for any on-site aviation uses, acknowledgement covenants regarding airport environs, and the like) are good and necessary if residential is permitted.

The DEIR appears to have addressed mandatory and existing applicable standards, however, ultimate decision makers need to be aware that "quality of living environment" issues remain regarding residential uses adjacent to the Airport, specifically based on sideline single event noise, aircraft low altitude overflights, and engine runups from Boeing and other Airport sources.

The DEIR introduction accurately states that "potential areas of controversy and issues to be resolved by the decision makers include...issue areas where concerns have been raised...indicating a level of controversy". "Issue areas include the relationship of proposed residential uses to existing aviation-related uses, including aircraft overflights". At least some of the controversy is based on the knowledge and

belief that, based on historical and current negative reaction to Long Beach Airport operations from some residential areas, some of that negative reaction is based on impact variables that are not defined as significantly problematic based on the standards applied to assessment of Airport impacts on the proposed residential component of PacifiCenter. In other words, meeting the noise and other aviation-related impact standards utilized in the DEIR analysis, given experience at the Long Beach Airport, will not address all perceived “quality of living environment” issues.

Actual experiential considerations, which may not have been addressed in detail by the DEIR, are noted below. These, although possibly not EIR issues, should be considerations of ultimate decision makers regarding land use components of PacifiCenter.

Noise from Arriving/Departing Aircraft

The DEIR suggests that it is “reasonable to rely on published CNEL contours to assess potential noise impacts upon the residential land uses”. It finds no significant impact because of the proposed residential area being outside of the 65 CNEL contour. Actual community response to aircraft noise in the Long Beach area suggests that quality of living impacts – at least as judged by complaints received - relates more to single event noise and unique occurrences, rather than being at or near the 65 CNEL contour line.

Worst-case single event (SENEL) magnitudes are based on MD-80 departures. Although this is not unreasonable as a general assumption, decision makers need to know that on a daily basis, there are louder SENEL noise events. Some of these are violations of the Noise Ordinance, which although small in number, will continue to occur based on history. Other very loud SENEL noise events are caused by very high performance aircraft that use their performance to quickly climb while over airport property (thus causing significant “sideline noise” exposure to PacifiCenter acreage), so that they can then reduce thrust in order to meet the noise limits at the enforcement noise monitor off of the end of the Airport’s main runway.

Although construction variables (acoustical treatment, etc) can address/mitigate internal noise levels to acceptable standards, the issue of annoyance and speech interference levels still exist for outside living conditions.

Some R-22 helicopter noise events were monitored at the site, and Max A-level readings were presented. Heavier and higher performance helicopters, however, overfly the site and in fact generate complaints from residential areas further away from the Airport than PacifiCenter.

Aircraft Overflight

The DEIR states that overflights related to Runway 16L “may be a source of annoyance...as a portion of the proposed residential uses are within 60 CNEL...and general community attitude toward 60 CNEL results in 7% of the population being highly annoyed”. 7% of several thousand people yield hundreds of highly annoyed people. Also, flight tracking of aircraft on approach to the Airport over the proposed PacifiCenter residential area show that some of the aircraft would be between 200-

300 feet above the ground (even lower relative to a multi-story apartment building with outside decks), where annoyance according to some acousticians is more a function of fear than actual magnitude of sound.

The DEIR shows as a mitigation measure, the alignment of internal streets along the extended runway centerline of the Airport's Runway 16L/34R. DEIR Page 117, Figure 4, and also Figure 8 of the Noise Assessment Report; show roadway alignments inconsistent with this mitigation measure.

Aircraft Engine Runup

One aircraft runup noise mitigation measure (V.1-17) states that residential uses in close proximity to the Boeing Enclave shall be prohibited until runup activities permanently cease in the B-717 runup area. It should be made clear that residential would be prohibited as long as that runup area was used for any engine runups, such is currently the case with Boeing's C-17 aircraft.

The engine runup analysis indicates that the highest noted Boeing engine run noise reading during a sample period was 87 dBA, "similar to the SENEL of a single MD-80 departure on Runway 30". This correlation might be valid relative to a one minute or less engine run however, the PacifiCenter analysis noted much longer engine runs, including a B-717 high velocity engine run with a 5-minute continuous duration. Longer durations at a noise level in the 80s of SENEL would impact outdoor communications and likely generate annoyance.

Engine run noise, because of duration, can cause high annoyance within the PacifiCenter populace, especially those who happen to be outdoors or with open windows. Growth in Boeing and other manufacturing programs could add to this problem. The DEIR did not address non-Boeing runups, which currently typically occur at the center of the Airport's infield on a fairly frequent basis. Engine run noise does not show up as SENEL or CNEL measurements at the Airport's 18 monitoring sites, however, the noise and related vibrations are a source of occasional complaints from nearby residential areas.

Because off-Airport engine runs are not governed by the Airport's Noise Compatibility Ordinance, agreements between the City and Boeing regarding PacifiCenter should specify a conformance requirement. Also, it may be useful for the City and Boeing to explore future engine run noise mitigation, through joint efforts such as shared, baffled engine run areas if/where feasible.

Conclusions

With regard to Airport interface issues, the bottom line DEIR assessment is that no significant unmitigatable problems exist for residential uses within the PacifiCenter development. Based on the above-identified issues, there are certainly some issues related to aircraft noise, aircraft overflight, and aircraft engine runups which, although they may not breach certain standards, may well impact the quality of residential living within PacifiCenter. As such, these issues should be given due consideration by decision makers when balancing the benefits and disbenefits of residential uses.

As suggested as mitigation measures, components such as aviation easements and acknowledgement covenants are necessary and appropriate. However, the quality of the residential environment needs to be considered carefully, in addition to liability limitation.

Should residential uses be permitted, implementation phasing is an important consideration. The DEIR states that the initial phases will focus on development of housing as a component. Phasing that is revenue and/or market based alone could in theory allow 2,500 residential units to be built, with thousands of residents. This could occur with no commensurate commercial/industrial/ retail job producing development. This is not only a stakeholder issue (someone living and working on the site might be less sensitive to Airport noise and overflights than someone just residing there), but potentially a noise exposure magnitude issue, especially for aircraft engine runup noise. For example, a two or three story commercial building between the noise generator and residential receptor may to some degree reduce the magnitude of the noise and annoyance. Consider the 22 ft. noise berm at the southeast corner of the Airport, which reduces perceived noise levels by one-half for residential properties bordering Clark Avenue.

Based on negative reaction to Airport noise from some new residents in areas near the Airport, even though one would think that they would be aware of the Airport's existence when moving in, acknowledgement covenants could possibly be further bolstered by strong, positive aviation theming of the PacifiCenter site (especially the residential component if it is to be built). Signage, street names, banners, special treatments such as displayed aircraft, possibly even a museum of sorts which highlights not only the history of the Airport, but the history of the site relative to aircraft manufacturing, could be helpful in inducing a more positive, rather than negative, reaction to the Airport's adjacency.

Finally, on a different issue, any PacifiCenter on-site aviation uses would present real opportunities to add uniqueness to PacifiCenter commercial offerings, which could very positively increase its marketability and re-enforce the suggested theming. It should be assured, however, that the relationship is one of providing direct access to the air transportation system via the Airport's runways (good example would be corporate aircraft hangars with commercial office space), and not for the conduct of commercial aviation business on PacifiCenter property that would compete with on-Airport business and effectively lower Airport leasehold land values.

Hopefully, the above comments and identified issues will be considered by decision makers when considering residential uses within PacifiCenter in order to address the indicated level of controversy identified in the DEIR regarding this issue.

Mr. Kunze stated that the Airport Advisory Commission may wish to provide a recommendation to the City Council, for their consideration, regarding Boeing PacifiCenter/LGB interface implications. The staff analysis has been provided for the Commission's consideration in that regard. Mr. Kunze stated that information from Amy Bodek, the City's liaison with the Boeing PacifiCenter, is that if the Commission desires to make a recommendation to the City Council on any basis, that May or June Commission meetings would be timely. Mr. Kunze also noted that a April 12th AOPA letter provided to the Commission shows a statement regarding PacifiCenter.

Mr. Kunze stated that the recommendation to the Commission at this time, is to refer to the Land Use Committee for report back at the May AAC meeting with a recommended position.

Chairman Salk stated that with no objections from the Commissioners, they will then follow that course to refer to the Land Use Committee, Commissioner Veady, Commissioner Luskin, and will ask one other Commissioner to attend.

Commissioner Temple asked if anything has been said about the east side of Lakewood Blvd., where the B-717 production facility is located. Mr. Kunze stated that that issue has not been raised.

Vice-Chair Fox asked if the report was Mr. Kunze's personal interpretation of the EIR. Mr. Kunze stated that it is his interpretation. Mr. Kunze also stated that Airport staff's views are observations only, and that it is the Planning Commission's role to certify the EIR, after which time the project goes before the City Council for approval. Mr. Kunze stated that there are benefits to residential, but that there are issues as well, and ultimate decision makers need to be aware of all of them.

Vice-Chair Fox stated that in light of Mr. Kunze's report, why would the Commission vote in favor of or make a recommendation in favor of the residential component, under the circumstances given in the report? Mr. Kunze re-stated that he believes that his analysis is narrowly focused and believes that the issues brought forward in his report need to be on the table when looking at the whole picture.

Commissioner Fox stated that from the standpoint of the Commission, they are quite aware of existing community reactions, and stated that the broader benefits and issues are for other groups or for Boeing to present.

Commissioner Alton asked if there would be any interest in identifying those covenants in a way that as long as the flight ordinance remains at its current level which dictates a certain noise production level, that the covenants are enforced. Should the noise ordinance no longer be enforced, then the covenants would be rendered obsolete or no longer enforced. Mr. Kunze stated that he would not recommend limiting the covenants, and would ask for a blanket aviation easement. He stated that what he has heard the City's attorneys say, is that the City has a very strong defense against challenges to the Noise Compatibility Ordinance, but he has never heard it stated that it could never be breached under any circumstances. Mr. Kunze stated that even if there is a very minor risk, why should the City accept a limited easement that would expose the City to risk?

Commissioner Alton asked if that same rationale could be used for the scope of the EIR. The EIR scope considers impacts associated with the flight levels that are in the ordinance, because the ordinance is presumed to not go away. Mr. Kunze stated that he is not an attorney, and offered to bring the attorney's in for that discussion. Mr. Kunze stated that it appears that in the case of the EIR, they are looking at what CEQA requires, and what he believes that he hears from the attorneys is that CEQA does not require project sponsors to look at scenarios that have remote probabilities of occurrence.

Commissioner Haubert stated that the report was thorough and thoughtful and that he is neutral on the idea of residential uses. Commissioner Haubert complimented Mr. Kunze on the report as he brought forth issues that may not have been thought of, for example, the phasing of the project. If it was allowed to proceed on a market need basis, a developer may rush to build residential units first because that is the hot market at this time, and would defer other parts of the project for later. Commissioner Haubert asked that Commissioner Soccio be assigned to the Land Use Committee, and to increase it to four members.

Chairman Salk asked for volunteers for the Land Use Committee, Commissioner Soccio stated that she would be interested in being a part of the Committee.

Vice-Chair Fox stated that the Committee's purpose is to make recommendations to the Commission as a whole.

Commissioner Luskin asked if he understood Commissioner Fox to say that the avigation easement would not hold up to legal scrutiny. Vice-Chair Fox stated that he does not have a lot of confidence in avigation easements as a protective device for the City.

Commissioner Haubert addressed the acknowledgement covenants, saying that the City may be requiring it because they want people to have as much notice as possible that they are living next to an airport.

Commissioner Soccio stated that with the discussion about the avigation easements, and having attended each of the western task force meetings, there was discussion about avigation easements, and how they would only apply to the existing noise ordinance. She also stated that for someone purchasing a home to not be aware of the Airport would be difficult because of all the disclosures.

Commissioner Luskin asked for clarification as to the membership of the Land Use Committee. Chairman Salk stated that it does not have to be determined before the close of the meeting.

Commissioner Veady asked if the Committee is being asked to respond to Mr. Kunze's report or to come up with their own position paper including other sources, and make a recommendation back to the Commission as a whole. Chairman Salk suggested the broader approach, however, using staff's report as a reference document.

Vice-Chair Fox asked about format of the Committee's recommendations. Chairman Salk stated that it would be a letter stating their recommendations.

Public Input Period

Ms. Candy Robinson stated that it is the Long Beach Airport Association's position that there be zero residential, which was the third option on the EIR, and that there be an aviation component on the development. Chairman Salk stated that the Commission is not taking comments on the PacifiCenter at this time. Ms. Robinson asked that the minutes show that she was refused her three minutes to speak.

Commissioners Comments

None

The meeting adjourned at 5:45 p.m.

Respectfully submitted,
Dottie Jones, Airport Secretary
Long Beach Airport